

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

2007 OCT 12 A 9:25

JAMES S. SENN, #253389, et. al.

Full name and prison number of
plaintiff(s)

v.

PIKE COUNTY COMMISSIONERS,

CHIEF JAILER OLIVIA PEARCE,

DEPUTY WILLIE COPE,

ET. AL.,

Name of person(s) who violated
your constitutional rights.

(List the names of all the persons) -)

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

CIVIL ACTION NO.

(To be supplied by the Clerk of the
U.S. District Court)

2:07CV919-mht

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? Yes () No (XX)

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? Yes () No (XX)

C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit
Plaintiff(s) N/A - NONE

Defendant(s) N/A - NONE

2. Court (if federal court, name the district; if state court, name the county)
N/A - NONE

3. Docket No. N/A - NONE

4. Name of Judge to whom case was assigned N/A - NONE

Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

N/A - NONE

6. Approximate date of filing lawsuit N/A - NONE

7. Approximate date of disposition N/A - NONE

II. PLACE OF PRESENT CONFINEMENT BULLOCK COUNTY CORRECTIONAL FACILITY

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED PIKE COUNTY JAIL

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. PIKE COUNTY COMM., P.O. BOX #1147, TROY, AL. 36081-1147

2. CHIEF JAILER OLIVIA PEARCE P.O. BOX #1147, Troy, Al. 36081-1147

3. DEPUTY WILLIE COPE, P.O. BOX # 1147, TROY, ALA. 36081-1147

4. _____

5. * (SEE ATTACHED ADDENDUM FOR OTHER DEFENDANTS.)

6. _____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED ON OR ABOUT MAY 24, 2007 thru JUNE 14, 2007.

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: DEFENDANT OLIVIA PEARCE, A CHIEF JAILER AT PIKE COUNTY JAIL FAILED TO PROVIDE PROPER MEDICATION (SEE ADDENDUM V):

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place, manner, and person involved).

PLAINTIFF, A DIABETIC, SHOWS TO THE COURT THAT ON OR ABOUT MAY 24, 2007, THE DAY OF PLAINTIFF'S ARREST INFORMED THE JAILERS THAT HE WAS A DIABETIC AND ALSO INFORMED SAID JAILERS THAT HE NEEDED SPECIFIC MEDICATION FOR HIS CHRONIC ILLNESSES (SEE ADDENDUM V):

GROUND TWO: DEFENDANTS PIKE COUNTY COMMISSIONERS FAILED IN THEIR DUTY TO FUND ADEQUATE FUNDS FOR MEDICAL ATTENTION (See Addendum V):


SUPPORTING FACTS: PIKE COUNTY COMMISSIONERS HAVE FAILED TO PROVIDE ADEQUATE FUNDS UNTO THE Sheriff of Pike County for ADEQUATE FUNDS TO PROVIDE MEDICAL ATTENTION. SAID defendants failed to provide funds for a medical doctor, adequate MEDICAL PERSONNEL AT THE COUNTY JAIL, FAILED TO ALSO PROVIDE ADEQUATE

GROUND THREE: DEFENDANT COPE ACTED SINGULARLY OR IN CONCERT WITH THE OTHER DEFENDANTS TO VIOLATE PLAINTIFF (SEE ADDENDUM V:

SUPPORTING FACTS: PLAINTIFF SHOWS TO THE COURT THAT ON OR ABOUT JUNE 14, 2007 PLAINTIFF, WHO IS A DIABETIC BECAME VERY ILL DUE TO LACK OF PROPER MEDICATION OR MEDICATION DENIED TO THE PLAINTIFF BY THE DEFENDANTS AND/OR THEIR AGENTS. At this TIME ON OR ABOUT JUNE 14, 2007 PLAINTIFF (SEE ADDENDUM V):


VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

(SEE ADDENDUM VI):

x 
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on x 09-27-07
(date)

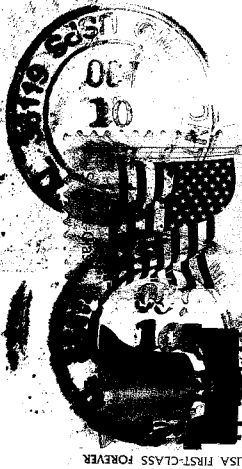
x 
Signature of plaintiff(s)

Legal Mail -

James S. Seann, Pro-Se
Beef * # 233389 * Doan - J-1-13A
Post Office Box # 5107
Union Springs, Alabama 36089-5107

#2
==

United States Courthouse
Attn: Clerk of Court
113 - Lee Street
Montgomery, AL.
36104



IAN REDFORD,

PLAINTIFF,

-vs-

PIKE COUNTY COMMISSIONERS,
CHIEF JAILER OLIVIA PEARCE,
DEPUTY WILLIE COPE,
"A" "B", AND "C" BEING THAT
PERSON KNOWN AS PIKE COUNTY
COMMISSIONERS, CHIEF JAILER
OLIVIA PEARCE, DEPUTY WILLIE
COPE "D" "E" AND "F" BEING
THAT PERSON, FIRM, CORPORATION,
OR OTHER ENTITY WHOSE DELIBERATE
INDIFFERENCE AND/OR WANTONNESS
AND/OR INTENTIONAL ACT PROXIMATELY
CAUSED THE PLAINTIFF TO SUFFER
PAIN DUE TO LACK OF MEDICAL
TREATMENT WHOSE TRUE NAMES AND
IDENTITIES ARE UNKNOWN BUT WILL
BE SUBSTITUTED BY AMENDMENT
WHEN ASCERTAINED,

DEFENDANTS.

CASE NUMBER:

2:07cv919-mht
ENTRY BY CLERK

ADDENDUM TO PLAINTIFF'S
42 U.S.C., §1983 COMPLAINT FORM

I.

JURISDICTION

This Court pursuant to: 28 U.S.C., §1331, et. seq., has jurisdiction over all actions arising under the Federal Constitution, Laws, or, treaties of the United States.

II.

SUPPLEMENTAL JURISDICTION

This Court pursuant to: 28 U.S.C., §1367 has supplemental jurisdiction to all that are related to Plaintiff's Complaint.

III.

VENUE

This Court pursuant to: 28 U.S.C., §1391, has venue of Plaintiff's Complaint as a substantial part of the events, if not all, events occurred within this judicial district.

JURISDICTION FOR COMPLAINT AND RELIEF

This Court pursuant to: 42 U.S.C., §1983, has jurisdiction to entertain Plaintiff's Complaint and grant unto the Plaintiff relief herein prayed for.

V.

ADDENDUM III

PARTIE'S NAMES AND ADDRESSES CONTINUED

(1)

PLAINTIFF

At all times referred to in this instant Complaint, JAMES S. SENN shall be known as the Plaintiff in this instant Complaint whose address is as follows:

JAMES S, SENN, PRO-SE
BCCF * #253389 * DORM - J-1-13A
POST OFFICE BOX # 5107
UNION SPRINGS, ALABAMA
36089-5107

(2)

DEFENDANT'S CONTINUED:

Defendants "A", "B", and "C" are fictitious names intended to represent the Defendants sued if Defendant Olivia Pearce, and Deputy Willie Cole are not the correct names of the defendants.

The correct names of Defendants Pike County Commissioners, Chief Jailed Olivia Pearce, and Deputy Willie Cole will be substituted for Defendants A, B, and C, when ascertained, if necessary.

(3)

Defendants "D", "E", and "F" are those persons, corporation, or partnership, venture, or, governmental agencies and entities whose deliberate indifference and/or wantonness and/or intentional act proximately caused the Plaintiff to suffer great pain and possible death described in this instant Complaint by deliberately causing the acts described in this instant Complaint and/or who or which

JURISDICTION FOR COMPLAINT AND RELIEF

This court pursuant to: 42 U.S.C., §1983, has jurisdiction to entertain Plaintiff's Complaint and grant relief unto the Plaintiff relief herein prayed for.

V.

PARTIE'S NAMES AND ADDRESSESS CONTINIUED

ADDENDUM IIIPLAINTIFF:

At all times referred to in this instant complaint, JAMES S. SENN, shall be known as the Plaintiff whose current addres is as follows:

JAMES S. SENN, PRO-SE
BCCF * # 253389 * DORM - J-1-13A
POST OFFICE BOX # 5107
UNION SPRINGS, ALABAMA
36089-5107

defendant'S CONTINUED:

Defendants "A", "B", and "C" are fictitios names intended to represent the Defendants sued if Defendants' Olivia Pearce, and Deputy Willie Cole, and Pike County Commissioners.

The correct names of Defendants' Pike County Commissioners, Chief Jailer Olivia Pearce, and, Deputy Willie Cole will be substituted for Defendants "A", "B", and, "C", when ascertained if necessary.

Defendants' "D", "E", and "F" are those persons, corporation, or partner ships, venture, or, governmental agencies whose whose deliberate indifference and/or wantonness and/or intentiaonal act caused the Plaintiff to suffer great pain and possible death described in this instant Complaint by deliberately causing the acts described in this instant Complaint and/or who or which

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in any manner whatsoever caused the injuries and damages suffered
by the Plaintiff; whose true names are otherwise unknown but will
be substituted by amendment ascertained, if necessary.

Said defendants A, B, C, D, E, F are fictitious defendants whose
true and proper names have not yet been determined as of the filing
of Plaintiff's Complaint, but which names will be properly ~~MADE~~
by amendment hereto when the same are ascertained, if necessary,

VI.

ADDENDUM V CONTINUED FROM PAGE # 2:

GROUND ONE:

GROUND ONE: and MEDICAL TREATMENT FOR THE PLAINTIFF, HENCE, DEFEND-
ANT PEARCE VIOLATED THE PLAINTIFF'S U.S.C.A., (6th), (14), (8), and
(5th) Amendment rights against due process, equal protections made
obligatory upon the states pursuant to the (5th), and cruel and
unusual punishment by the denial of medical attention and care.

FACTS CONTINUED: but the Chief Jailer and/or her agents denied
not only medication for Plaintiff's diabetes, but, also denied the
Plaintiff medical treatment for several days and even when the Plain-
tiff became very sick and was dying the Defendants failed to autho-
rize proper medical attention to the Plaintiff even though the para-
medics pleaded with Defendant ~~Pearce~~ to take Plaintiff to the emer-
gency room to be properly treated.

Not only was Plaintiff very sick because of denial of his dia-
betic medication, and medical treatment Plaintiff was also very af-
raid that the defendant's were going to let the Plaintiff die.

Defendant ~~Pearce~~ was practicing medicine ~~without~~ a license as
said defendant went against seasoned and trained para-medics advice
to immediately transport Plaintiff to the hospital emergency room.

Hence, Plaintiff not only suffered physically from the denial
of medication and medical treatment, but, Plaintiff suffered mental
stress because he was afraid Defendant ~~Pearce~~ was going to let

were telling Defendant Pearce that Plaintiff needed to go the emergency room as soon as possible as the para-medics were not able to sufficiently treat Plaintiff's Medical Condition because it had been left so untreated for some time and put Plaintiff in a dangerous position and his life was in danger, but, the Defendant Pearce was not at all concerned about the Plaintiff's life whether he lived or died.

GROUND # 2 and medication at the Pike County Jail. Furthermore said Defendant Pike County *Comm* violated U.S.C.A., #(6) Right to punishment, pain, and suffering without due process, #(8) Right against cruel and unusual punishment by denial of proper medical attention, and #(14) Right to equal protection for the laws, state and federal constitutions made obligatory upon the states pursuant to: The (5th) Amendment to the United States Constitutional.

supporting facts continued; funds for medical staffing at the Pike County Jail, funds for an infirmary and funds to staff said infirmary and stock said infirmary with the proper tools, and, medication.

Because of the inadequate medical treatment at the Pike County Jail by the Defendant Plaintiff almost died while in the Pike County Jail

GROUND THREE: United States Constitutional Rights as prescribed by the #(6) Amendment against punishment without due process, (8) Amendment right against cruel and unusual punishment and denial of medical attention, and (14) Amendment Right to equal protection of the laws, and, both state and federal constitutions made obligatory upon the states by the (5th) Amendment to the United States Constitution.

SUPPORTING FACTS CONTINUED: "again" became very sick because of denial of medical attention and medication at the Pike County Jail.

Plaintiff further shows to the court that he was so sick that he had passed out, a very dangerous condition to happen to a diabetic.

Because of the seriousness of plaintiff's medical and physical conditions the jailers called the para-medics. Once the para-medics arrived they were able to diagnose the Plaintiff was having a physical and medical problem because Plaintiff had gone for so long without medication and medical attention well over a month.

The para-medics advised Defendant Willie Cope that the Plaintiff was having a serious and probably fatal physical problem caused from not having his medication for so long.

Also, the para-medics advise Willie Cope that plaintiff's serious medical problem needed medical attention beyond the scope of care that the para-medics could provide.

Furthermore, said para-medics advised Defendant Willie Cope that the Plaintiff needed to be transferred immediately to the emergency room at a hospital to properly treat the Plaintiff or the Plaintiff would die. Defendant Willie Cope then stated: "THE ONLY WAY THE PLAINTIFF IS GOING TO LEAVE THIS JAIL IS IF HE DIES"

Defendant Willie Cope constantly refused to allow the Plaintiff to get proper medical attention, regardless of pleas from the para-medics to do so.

Hence, Defendant Willie Cope put Plaintiff in a very dangerous situation that could easily cost the Plaintiff his life.

Hence, the filing of this instant "Complaint" to try to not only help myself but others who may come into this same situation again where the defendants put prisoner's lives in needless jeopardy.

The Pike County Jail is an old and antiquated jail in serious need of remodeling or replaced with a new jail, as are their rules, regulations, and, procedures.

vii.
ADDENDUM VI CONTINUED FROM PAGE # 3:
CONCLUSION AND PRAYER FOR RELIEF

WHEREFORE PREMISES SHOWN: AND ; pursuant to: 42 U.S.C., §1983;
28 U.S.C., §§ 1331, 1367, and, 1391, hereby prays for the following
 relief, to-wit:

1). That this court take jurisdiction of Plaintiff's Motion for Leave to proceed In Forma Pauperis along with supporting documents and grant Plaintiff'sd "Motion for Leave to Proceed In Forma PAuperis so that Plaintiff may prosecute his 42 U.S.C., §1983 Complaint, and;

2). That this court take jurisdiction over Plaintiff's Complaint pursuant to: 42 U.S.C., §1983, and;

3). Grant Declaratory Relief unto to the Plaintiff as the Defendants violated Plaintiff's UNITED STATES CONSTITUTIONAL AMENDMENT (6th) *Right* against punishment without due process; (8th) against cruel and unusual punishment, and (14) right for equal protection of the laws, constitution, both state and federal, as made obligatory upon the states through the (5th) Amendment to the United States Constitution, and;

4). Order that the Defendant provide funding to hire a doctor available on site part time and on call (24) hours a day and (7) days a week, and;

5). Order that the defendants hire a full time nurse, (RN), to be available on site (24) hours a day, (7) days a week, and;

6). Set up a system for daily sick call and orientate staff and prisoners alike to sick call system, and;

7). Set up asystem where thei~~s~~ is medication on site even just for chronic care patients, (i.e. diabetics, High blood pressure, heart disease, etc.) and a system where other medication may be distributed that very same day inmates are booked into the Pike County Jail, and;

8). Set-up a screening system for sick call and new prisoners entering the jail for the first, and;

9). Along with screening new intakes for existing medical conditions a system needs to be in place for physicals, and, a system for body charts to be done if there is an emergency, a fight where an inmate is injured by other inmates or guards, and;

10). Set up a training system for all jail guards so that they are able to recognize when someone is sick, or has a problem with their sugar, as the Plaintiff did, so that the next person who has a medical problem and needs emergency care will not have to hear words spoken to the para-medics about the Plaintiff as Willie Cope did "the only way he is leaving this place is if he is dead", and;

11). Provide the proper medical tools at the jail to treat inmates who become very sick and needs emergency treatment at the jail, and;

12). Set up a medical complaint and grievance system for the inmates at the Pike County Jail, and;

13). Set up dietary diets for those inmates who need low fat, low sodium, diabetes, high protein diets for those who need, and;

14). Hire a Registered dietician to set up special needs diet at Pike County Jail, and;

15). Hire a part time dentist to work at the Pike County Jail, and;

16). Build an area to house those prisoners who have chronic health problems, such as, but, not limited to: (aids, tuberculosis, asthma, breathing problems, broken limbs,, or any other medical problem that needs to be monitored such as dressing changes, etc., and;

17). **COMPENSATORY DAMAGES:**

A). That Pike County Commissioners, individually, or severally pay the Plaintiff (\$50,000), and;

- B). That Defendant Olivia Pearce, individually or severally pay the Plaintiff (\$50,000), and;
- C). That Defendant Willie Cope pay the Plaintiff, individually, or severally (\$100,000), and;
- D). That defendants D,E, and F, pay the plaintiff individually, or severally, (\$25,000).

18). PUNITIVE DAMAGES:

- A). That Defendant Pike County Commissioners individually and severally (\$100,000), and;
- B). That Defendant Olivia Pearce, individually or severally pay the Plaintiff (\$100,000), and;
- C). THAT Defendant Willie Cope, indivfividually or severally pay the Plaintiff (\$250,000), and;
- D). That defendants D,E, and F, individually or severallly the Plaintiff, (\$50,000).

19). That all costs incurred in this instant action be taxed against the defaulting party, and;

20). Grant what further relief that this court deems just, proper, and, necessary, and;

21). Order that a special master be appointed to oversee that all "Orders" from this court will be followecd, and

22). Hold in Contempt of Court individuals who dod not follow this Court's "Order".

Executed this the 27th day of September, 2007.

Respectfully Submitted,

X James S. Senn
JAMES S. SENN,
PLAINTIFF, PRO-SE

Plaintiff, pursuant to: 28 U.S.C., §1746, et. seq., hereby signs this instant Complaint under penalty of perjury and on this date hereby mails this instant Complaint to the Clerk of Court.

DATE: 09-27-07

X James S. Senn
JAMES S. SENN,
PLAINTIFF, PRO-SE